



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WASTE ENGINEERING AND ENFORCEMENT
860-424-3372

General Permit for the Storage and Distribution of Two (2) Inch Nominal Tire Chip Aggregate for Beneficial Use in Leaching Systems of Subsurface Sewage Disposal Systems

Issuance Date: September 30, 2005

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General Permit for the Storage and Distribution of Two (2) Inch Nominal Tire Chip Aggregate for Beneficial Use in Leaching Systems of Subsurface Sewage Disposal Systems

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General Permit for the Storage and Distribution of Two (2) Inch Nominal Tire Chip Aggregate for Beneficial Use in Leaching Systems of Subsurface Sewage Disposal Systems

Section 1. Authority

This general permit is issued under the authority of Section 22a-209f of the Connecticut General Statutes.

Section 2. Definitions

As used in this general permit:

“Approval of registration” means an approval of registration pursuant to Section 4(f) of this general permit.

“Approved aggregate” means stone aggregate or other product approved by the Commissioner of Public Health for use as backfill material in leaching system construction.

“Authorized activity” means any activity authorized by this general permit.

“Beneficial use” means beneficial use as identified in Section 22a-209f of the General Statutes.

“Clean fill” means clean fill as defined in Section 22a-209-1 of the Regulations of Connecticut State Agencies.

“Commissioner” means commissioner as defined in Section 22a-2(b) of the General Statutes.

“Day” means the calendar day; if any date specified in the general permit falls on a Saturday, Sunday, or legal holiday, such deadline shall be the next business day thereafter.

“Department” means the department of environmental protection.

“Disposal” means the disposal as defined in Section 22a-207 of the General Statutes.

“Groundwater” means groundwater as defined in Section 22a-430-3(a) of the Regulations of Connecticut State Agencies.

“Leaching system” means a system as defined in Section 22a-430-1 of the Regulations of the Connecticut State Agencies.

“Municipality” means a municipality as defined in Section 22a-423 of the General Statutes.

“Permittee” means a person who or municipality which the commissioner has issued an approval of registration.

“Person” means person as defined in Section 22a-423 of the General Statutes.

“Recycling” means recycling as defined in Section 22a-207 of the General Statutes.

“Recycling facility” means recycling facility as defined in Section 22a-207 of the General Statutes.

“Registrant” means a person who or municipality which files a registration pursuant to Section 4 of this general permit.

“Registration” means a registration form filed with the commissioner pursuant to Section 4 of this general permit.

“Residue” means all solid waste as defined in Section 22a-207 of the General Statutes, other than tire chips, remaining after handling of two-inch nominal tire chip aggregate.

“Scrap tire” means a whole tire that can no longer be used for its original purpose due to wear or damage, or tire shreds, tire chips, ground and/or crumb rubber, or any other derivative of whole tires.

“Site” means geographically contiguous property on which an authorized activity takes place or on which an activity for which authorization is sought under this general permit is proposed to take place. Non-contiguous properties by the same person and connected by a right-of-way which such person controls and to which the public does not have access shall be deemed the same site.

“Solid waste” means solid waste as defined by Section 22a-207 of the General Statutes.

“Solid waste facility” means any solid waste facility as defined by Section 22a-207 of the General Statutes.

“Storage” means the holding of tire chips for a temporary period, at the end of which the tire chips are recycled, disposed, or stored elsewhere.

“Storage and distribution facility” means the location at which two (2) inch nominal tire chip aggregate may be stored and distributed pursuant to Section 5 of this general permit.

“Subsurface sewage disposal system” means a system as defined in Section 22a-430-1 of the Regulations of Connecticut State Agencies and Section 20-341a(3) of the General Statutes.

“Subsurface sewage disposal system installer” means subsurface sewage disposal system installer as defined in Section 20-341a(1) of the General Statutes.

“Technical Standards for Subsurface Sewage Disposal Systems” means the technical standards established by the Commissioner of Public Health pursuant to Section 19-13-B103d(b) of the Regulations of Connecticut State Agencies.

“Tire chips” means pieces of scrap tire that have a basic geometrical shape and are generally between three-eighths (3/8) of an inch and four (4) inches in size.

“Two (2) inch nominal tire chip aggregate” shall mean tire chip aggregate appropriately sized to be used as an approved aggregate in the construction or installation of leaching system of a subsurface sewage disposal system. This tire chip aggregate must meet the specifications as identified in the “Technical Standards for Subsurface Sewage Disposal Systems”.

Section 3. Authorization Under This General Permit

(a) Eligible Activities

Provided the requirements of subsection (b) of this section and the conditions as stated in Section 5 are satisfied, this general permit authorizes the storage and distribution of two (2) inch nominal tire chip aggregate as an approved aggregate for beneficial use in leaching systems of subsurface sewage disposal systems.

(b) Requirements for Authorization

This general permit authorizes the activity listed in subsection (a) of this section provided:

(1) Registration

Except as provided below, a completed registration with respect to such activity has been filed with the commissioner and the commissioner has issued an approval of registration with respect to such activity.

NOTE: Any person or municipality who owns property that has a leaching system of a subsurface sewage disposal system constructed or installed with two (2) inch nominal tire chip aggregate as an approved aggregate is not required to file a registration with the commissioner. However, subsurface sewage disposal system installers must comply with Appendix A, "Beneficial Use Requirements" of this general permit which addresses the proper installation and management of tire chip aggregate.

(2) Coastal Area Management

Such activity is consistent with all applicable goals and policies in Section 22a-92 of the General Statutes, and will not cause adverse impacts to coastal resources as defined in Section 22a-93 of the General Statutes.

(3) Endangered and Threatened Species

Such activity does not threaten the continued existence of any species listed pursuant to Section 26-306 of the General Statutes as endangered or threatened and will not result in the destruction or adverse modification of habitat designated as essential to such species.

(4) Aquifer Protection

Such activity complies with regulations under Section 22a-354b of the General Statutes adopted pursuant to Section 22a-354(i) of the General Statutes.

(c) Geographic Area

This general permit applies throughout the State of Connecticut.

(d) *Effective Date and Expiration Date of this General Permit*

This general permit is effective on the date it is issued by the commissioner and expires five (5) years from such date of issuance.

(e) *Effective Date of Authorization*

An activity is authorized by this general permit on the date the commissioner issues an approval of registration with respect to such activity.

(f) *Revocation of an Individual Permit*

If an activity meets the requirements of authorization of this general permit and such activity is presently authorized by an individual permit, the existing individual permit may be revoked by the commissioner upon a written request by the permittee. If the commissioner revokes such individual permit in writing, such revocation shall take effect on the effective date of authorization of such activity by this general permit.

(g) *Issuance of an Individual Permit*

If after the commissioner approves a registration under this general permit, the commissioner issues an individual permit authorizing the same activity authorized by such approval, such approval shall become null and void on the date such individual permit is issued.

Section 4. Registration Requirements

(a) *Who Must File a Registration*

Any person or municipality, as defined, seeking authorization under this general permit to store and distribute two (2) inch nominal tire chip aggregate as an approved aggregate for beneficial use in leaching systems of subsurface sewage disposal systems shall file with the commissioner:

- (1) a registration form which meets the requirements of Section 4 of this general permit; and
- (2) the applicable registration fee.

Note: Any person or municipality who owns property that has a leaching system of a subsurface sewage disposal system constructed or installed with two (2) inch nominal tire chip aggregate as an approved aggregate is not required to file a registration with the commissioner. However, subsurface sewage disposal system installers must comply with Appendix A, "Beneficial Use Requirements" of this general permit which addresses the proper installation and management of tire chip aggregate.

(b) *Scope of Registration*

A registrant shall register each storage and distribution facility, by site, for which the registrant seeks authorization under this general permit on a separate registration form.

(c) *Contents of Registration*

- (1) Fees

- (A) The registration fee of \$500.00 shall be submitted with a registration form for any new registration or renewal of an existing registration provided that the registration fee for a municipality shall be \$250.00. A registration shall not be deemed complete and no activity shall be authorized by this general permit unless the registration fee has been paid in full.
- (B) The registration fee shall be paid by check or money order payable to the **Department of Environmental Protection**.
- (C) The registration fee is non-refundable.

(2) Registration Form

A registration shall be filed on forms prescribed and provided by the commissioner and shall include the following:

- (A) Legal name, address, and telephone number of the registrant. If the registrant is an entity transacting business in Connecticut, provide the exact name as registered with the Connecticut Secretary of the State.
- (B) Legal name, address, and telephone number of the owner of the property on which the subject activity is to take place.
- (C) Legal name, address, and telephone number of the registrant's attorney or other representative, if applicable.
- (D) Legal name, address, and telephone number of any consultant(s) or engineer(s) retained by the registrant to prepare the registration.
- (E) The location address of the site with respect to which the registration is submitted.
- (F) An 8 ½" by 11" copy of the relevant portion or a full-sized original of a United States Geological Survey (USGS) quadrangle map, with a scale of 1:24,000, showing the exact location of the site and the area within a one-mile radius of the site. Identify the quadrangle name and number on such copy.
- (G) The registrant shall submit the following plans and documents, prepared in accordance with Section 5(a) of this general permit:
 - (i) a Facility Site Plan,
 - (ii) a Facility Description

The above referenced plans, including an Operation and Management Plan, shall also be available at the site of the subject facility.
- (H) The signature of the registrant and of the individual or individuals responsible for actually preparing the registration, each of whom shall certify in writing as follows:

“I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify that, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that a false statement made in the submitted information may be punishable as a criminal offense, in accordance with Section 22a-6 of the General Statutes, pursuant to Section 53a-157b of the General Statutes, and in accordance with any other applicable statute. I certify that this general permit registration is on complete and accurate forms as prescribed by the commissioner without alteration of their text.

I certify that a Facility Site Plan, a Facility Description and the Operation and Management Plan for the subject facility have been prepared as specified in Section 5(a) of the *General Permit for the Storage and Distribution of Two (2) Inch Nominal Tire Chip Aggregate for Beneficial Use in Leaching Systems of Subsurface Sewage Disposal Systems* and are available at the site of the subject facility.

I also certify that a letter has been sent to the chief elected official of the municipality in which the subject facility is or will be located informing him or her that this registration has been submitted to the department.”

(d) *Where to File a Registration and Other Related Documents*

- (1) A registration shall be filed with the commissioner at the following address:
CENTRAL PERMIT PROCESSING UNIT
DEPARTMENT OF ENVIRONMENTAL PROTECTION
79 ELM STREET
HARTFORD, CT 06106-5127
- (2) A letter must be submitted to the chief elected official of the municipality in which the subject facility is or will be located informing him or her that a registration for this general permit has been submitted to the department.
- (3) The permittee shall submit to the local fire department, police department and hospital a copy of the facility’s Emergency and Preparedness Plan within 30 days of the registration approval date or prior to commencement of operation, whichever is sooner.

(e) *Additional Information*

The commissioner may require a registrant to submit additional information, which the commissioner reasonably deems necessary to evaluate the consistency of the subject activity with the requirements for authorization under this general permit.

(f) *Action by Commissioner*

- (1) The commissioner may reject without prejudice a registration if the commissioner determines that it does not satisfy the requirements of Section 4(c) of this general permit or more than thirty (30) days have elapsed since the commissioner requested that the registrant submit additional information or the required fee and

the registrant has not submitted such information or fee. Any registration re-filed after such a rejection shall be accompanied by a new registration fee.

- (2) The commissioner may disapprove a registration if the commissioner finds that the subject activity is inconsistent with the requirements for authorization under Section 3 of this general permit, or for any other reason provided by law.
- (3) Disapproval of a registration under this subsection shall constitute notice to the registrant that the subject activity may not lawfully be conducted or maintained without the issuance of an individual permit.
- (4) The commissioner may approve a registration with reasonable conditions. If the commissioner approves a registration with conditions, the permittee shall be bound by such conditions as if they were a part of this general permit.
- (5) Rejection, disapproval or approval of a registration shall be in writing.

Section 5. Conditions of This General Permit

The permittee shall at all times continue to meet the requirements for authorization set forth in Section 3 of this general permit. In addition, the permittee shall assure that activities authorized by this general permit are conducted in accordance with the following conditions.

(a) *Operating Conditions*

(1) Required Plans and Documents

The permittee shall prepare a Facility Site Plan, a Facility Description, and an Operations and Management Plan, which shall include an Emergency and Preparedness Plan for the subject facility as described in this section. Such plans shall be available at the site of the subject facility and shall be maintained for review upon request by the department.

(A) Facility Site Plan

The facility site plan shall provide a clear and detailed presentation of all topographical and man-made features at the subject storage and distribution facility site. The facility site plan shall also include a proposed layout of the facility. More than one map may be used, if necessary. The map(s) or drawing(s) must show the following:

- (i) map scale (scale must be 1 in. = 100 ft. or larger);
- (ii) map date;
- (iii) a meridian arrow showing north;
- (iv) contour sufficient to show surface water flow;
- (v) property boundaries of the site using an A-2 survey;
- (vi) existing and proposed buffer zones to adjacent properties, streams and surface waters, tidal wetlands, dunes, beaches, bluffs or escarpments;

- (vii) existing or proposed access and internal roads, fencing and gates;
- (viii) all buildings of the storage and distribution facility showing the relative location of the subject facility and its appurtenances to any other structures on the site;
- (ix) utilities;
- (x) loading and unloading areas;
- (xi) location of access control;
- (xii) fire control facilities; and
- (xiii) all areas or enclosed structures occupied by any storage activities and any areas or enclosed structures used to distribute two (2) inch nominal tire chip aggregate, existing or proposed, with approximate dimensions (these areas and/or structures must be labeled).

(B) Facility Description

The facility description shall include at a minimum the following:

- (i) a detailed description of the facility including the nature and purpose of the business, the activities conducted and a summary of any waste types and quantities stored, recycled and otherwise managed (in cubic yards or tons);
- (ii) a description of the facility's management, an organizational chart, a description of duties and responsibilities of operating personnel, and the operating hours for receiving and handling of two (2) inch nominal tire chip aggregate; and
- (iii) a description of the equipment (if any) for distribution of two (2) inch nominal tire chip aggregate. This equipment description shall include the purpose, type, size, manufacturer's name and design capacity of each piece of equipment.

(C) Operation and Management (O&M) Plan

The O&M Plan shall provide detailed information concerning the matters listed below, as well as any other matters the registrant deems relevant.

(i) Traffic Flow

The O&M Plan must describe the traffic flow to, from, and at within the subject facility.

(ii) Emergency and Preparedness Plan

The O&M Plan shall include an Emergency and Preparedness Plan, as a stand-alone document, that describes the emergency procedures to be implemented in case of a spill, fire, flood, or explosion and the emergency equipment to be utilized.

(iii) Operating Records and Description of Operations

The O&M Plan shall include a system for measuring and recording (in cubic yards or tons) on a daily basis the quantities of two (2) inch nominal tire chip aggregate (A) received from off-site; (B) rejected and sent for reprocessing or disposal and (C) sold for installation in subsurface sewage disposal systems.

The O&M Plan shall also include the sequence of operations and how two (2) inch nominal tire chip aggregate will be distributed and/or transferred into transport vehicles.

(2) Revision of Required Plans and Documents

Whenever any facility or operational change occurs, the permittee shall update the Facility Site Plan; the Facility Description; the O&M Plan, including the Emergency and Preparedness Plan, for the subject facility, and shall submit copies of these revised documents to the commissioner for review and approval. The permittee shall not make changes that would require a permit modification unless the permit has been modified to authorize such changes. Such plans and documents shall be updated prior to the changes being made. The permittee shall maintain updated plans and documents available at the site of the subject facility for inspection.

(3) Emergency Response

- (A) The permittee shall submit to the local fire department, police department and hospital a copy of the facility's Emergency and Preparedness Plan within 30 days of the registration approval date or prior to commencement of operation, whichever is sooner.
- (B) The permittee shall maintain communication capability to immediately summon fire, police, or other emergency service personnel.
- (C) The permittee shall notify the commissioner in the event of a fire or an explosion at the facility. Such notification shall:
 - (i) be immediately reported by verbal communication to the commissioner by using the 24-hour emergency spill response telephone number at (860) 424-3338 or (860) 424-3333 or, if that number is incorrect, the telephone number listed for the emergency spill response with the telephone company;
 - (ii) include a written report submitted within thirty (30) days of the incident to the Solid Waste Program of the Bureau of Waste Management that details the cause and effect of the incident, the remedial steps taken and the evaluation and implementation of other measures to abate fires or explosions; and
 - (iii) be recorded in a log of emergency incidents.

In addition, the permittee shall comply with all other applicable reporting requirements pursuant to Section 22a-450 of the General Statutes.

(4) Storage Requirements/Limits

The permittee shall not exceed the maximum facility storage capacity of 2,500 cubic yards of two (2) inch nominal tire chip aggregate at any one time.

(A) Indoor Storage Requirements of Two (2) Inch Nominal Tire Chip Aggregate

- (i) Indoor storage of aggregate shall comply with "The Standard for Storage of Rubber Tires", NFPA 231D, or the latest edition, published by the National Fire Protection Association, Battery March Park, Quincy, Massachusetts, incorporated herein by reference; and
- (ii) A sign shall be posted and maintained, at the boundary of the storage area that is legible at a distance of at least twenty-five (25) feet, identifying the material as "two (2) inch nominal tire chip aggregate", its approved beneficial use and the prohibition of its use in any other clean fill application.

(B) Outdoor Storage Requirements of Two (2) Inch Nominal Tire Chip Aggregate

- (i) Each aggregate pile shall be surrounded on three sides by containment walls (e.g., concrete blocks or concrete retaining walls) that are structurally sound enough to resist the forces from waste handling equipment. Such configuration of containment walls shall hereinafter be termed a storage cell;
- (ii) All aggregate in a storage cell shall be placed on a sufficiently impervious surface (e.g., paved asphalt, concrete) that shall minimize dust, minimize contamination of aggregate, support heavy equipment and be sloped to promote runoff;
- (iii) Storage piles of aggregate shall not exceed fifteen (15) feet in height;
- (iv) Storage cells of aggregate shall be separated from grass, weeds, brush, overhanging tree limbs and similar vegetative growth by at least fifty (50) feet;
- (v) Storage cells of aggregate shall be located at least fifty (50) feet from any property boundary;
- (vi) Containers (i.e., trailers, roll-offs) may be used to store aggregate. Such containers shall be maintained in row(s) that are at least ten (10) feet from any property line. Each container shall be stored and maintained such that it is immediately accessible in the event of an emergency. All storage containers shall be constructed to store the waste contained therein without impairing the container. Each container shall be closed or covered at all times (except when adding or removing waste);
- (vii) A sign shall be posted and maintained, near the storage cell(s) or row of containers that is legible at a distance of at least twenty-five (25) feet,

to identifying the material as “two (2) inch nominal tire chip aggregate”, its approved beneficial use and the prohibition of its use in any other clean fill application.

- (C) The commissioner may approve exceptions to the storage requirements in Section 5(a)(5)(A) and (B) of this general permit if, after consultation with and written verification from, the local fire authority, it is determined that the permittee has sufficient fire suppression equipment or materials to address a tire chip pile fire.

(5) Provisions For Subsurface Sewage Disposal System Installers

The permittee shall provide in writing to all subsurface sewage disposal system installers, who intend to construct or install a leaching system for a subsurface sewage disposal system using two (2) inch nominal tire chip aggregate, the following:

- (A) A bill of lading that shall provide, at a minimum, a description of the two (2) inch nominal tire chip aggregate and the quantity being purchased by the installer; and
- (B) Appendix A of this general permit that identifies the Beneficial Use Requirements for the two (2) inch nominal tire chip aggregate. Should the permittee become aware that any customers or purchasers have used two (2) inch nominal tire chip aggregate not in compliance with the beneficial use requirements identified in Appendix A of this general permit, then the permittee shall immediately report this non-compliance to the department.

(6) Additional Operating Requirements

- (A) The permittee shall take appropriate measures to prevent unauthorized entry onto the storage and distribution facility. Appropriate control measures may be accomplished through the use of fences, gates, or other natural or artificial barriers.
- (B) The permittee shall operate and maintain the storage and distribution facility in such a manner as to prevent the ponding of water, accumulation of litter and the harboring, feeding or breeding of vectors.
- (C) The permittee shall ensure that any unacceptable two (2) inch nominal tire chip aggregate inadvertently received at the registered facility is promptly sorted, separated and temporarily stored in a container until such waste is transported off-site to a permitted solid waste facility. Any such solid waste container shall be covered at the end of each operating day and shall be removed from the facility within two (2) days of the container becoming full. Unacceptable two (2) inch nominal tire chip aggregate shall be managed as a special waste and sent for reprocessing or disposal at a permitted solid waste facility.
- (D) The permittee shall have a laboratory that has accreditation from the National Voluntary Laboratory Accreditation Program (NVLAP) or a Professional

Engineer licensed in Connecticut conduct testing to verify that the two (2) inch nominal tire chip aggregate meets the specifications in the Department of Public Health's (DPH) "Technical Standards For Subsurface Sewage Disposal Systems". Testing shall be done in accordance with the frequencies identified in the DPH Technical Standards. A summary of all test results, the identification and explanation of all anomalies, and conclusions from such testing shall be maintained at the storage and distribution facility and shall be submitted as an annual report to the commissioner and the DPH verifying compliance with the DPH Technical Standards. This annual report shall be submitted to the department's Solid Waste Program of the Bureau of Waste Management and the Environmental Engineering Program of the Department of Public Health.

- (E) The permittee shall at all times take reasonable precautions to control fugitive dust emissions and odors in accordance with Section 22a-174-18 and Section 22a-174-23, respectively of the Regulations of Connecticut State Agencies.
- (F) If the commissioner determines that the permittee has discontinued the permitted activities, or the permittee discontinues the permitted activities, the permittee shall implement final closure of the facility within 180 days of ceasing the activity. The permittee shall notify the department in writing thirty (30) days prior to commencing final closure activities. The permittee shall conduct final closure by transporting and disposing of all solid wastes, including all two (2) inch nominal tire chip aggregate, and any residues remaining on-site to a permitted solid waste facility.

(b) *Reliance on Registration*

When evaluating a registration, the commissioner relies on information provided by the registrant. If such information proves to be false or incomplete, the authorization issued under this general permit may be suspended or revoked in accordance with law, and the commissioner may take any other legal action provided by law.

(c) *Duty to Correct and Report Violations*

Upon learning of a violation of a condition of this general permit, a permittee shall immediately take all reasonable action to determine the cause of such violation, correct such violation and mitigate its results, prevent further such violation, and report in writing such violation and such corrective action to the commissioner within five (5) days of the permittee's learning of such violation. Such report shall be certified in accordance with Section 5(e) of this general permit.

(d) *Duty to Provide Information*

If the commissioner requests any information pertinent to the authorized activity or to compliance with this general permit or with the permittee's approval of registration, the permittee shall provide such information in writing within thirty (30) days of such request. Such information shall be certified in accordance with Section 5(e) of this general permit.

(e) *Certification of Documents*

Any document, including but not limited to any notice, which is submitted to the commissioner under this general permit shall be signed by, as applicable, the registrant or the permittee in accordance with Section 22a-430-3(b)(2) of the Regulations of Connecticut State Agencies, and by the individual or individuals responsible for actually preparing such document, each of whom shall certify in writing as follows:

“I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify that, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that a false statement made in the submitted information may be punishable as a criminal offense, in accordance with Section 22a-6 of the General Statutes, pursuant to Section 53a-157b of the General Statutes, and in accordance with any other applicable statute.”

(f) *Date of Filing*

For purposes of this general permit, the date of filing with the commissioner of any document is the date such document is received by the commissioner.

(g) *False Statements*

Any false statement in any information submitted pursuant to this general permit may be punishable as a criminal offense, in accordance with Section 22a-6, pursuant to Section 53a-157b of the General Statutes, and in accordance with any other applicable statute.

(h) *Correction of Inaccuracies*

Within fifteen (15) days after the date a permittee becomes aware of a change in any information submitted pursuant to this general permit, becomes aware that any such information is inaccurate or misleading, or that any relevant information has been omitted, such permittee shall correct the inaccurate or misleading information or supply the omitted information in writing to the commissioner. Such information shall be certified in accordance with Section 5(e) of this general permit. The provisions of this subsection shall apply both while a request for approval of registration is pending and after the commissioner has approved such request.

(i) *Transfer of Authorization*

An approval of registration under this general permit is non-transferable.

(j) *Other Applicable Law*

Nothing in this general permit shall relieve the permittee of the obligation to comply with any other applicable federal, state and local law, including but not limited to the obligation to obtain any other authorizations required by such law.

(k) *Other Rights*

This general permit is subject to and does not derogate any present or future rights or powers of the State of Connecticut and conveys no rights in real or personal property nor any exclusive privileges, and is subject to all public and private rights and to any federal,

state, and local laws pertinent to the property or activity affected by such general permit. In conducting any activity authorized hereunder, the permittee may not cause pollution, impairment, or destruction of the air, water, or other natural resources of this state. The issuance of this general permit shall not create any presumption that this general permit should or will be renewed.

Section 6. Commissioner's Powers

(a) *Abatement of Violations*

The commissioner may take any action provided by law to abate a violation of this general permit, including the commencement of proceedings to collect penalties for such violation. The commissioner may, by summary proceedings or otherwise and for any reason provided by law, including violation of this general permit, revoke a permittee's authorization hereunder in accordance with Sections 22a-3a-2 through 22a-3a-6, inclusive, of the Regulations of Connecticut State Agencies. Nothing herein shall be construed to affect any remedy available to the commissioner by law.

(b) *General Permit Revocation, Suspension, or Modification*

The commissioner may, for any reason provided by law, by summary proceedings or otherwise, revoke or suspend this general permit or modify it to establish any appropriate conditions, schedules of compliance, or other provisions which may be necessary to protect human health or the environment.

(c) *Filing of an Individual Application*

If the commissioner notifies a permittee in writing that such permittee must obtain an individual permit if the permittee wishes to continue lawfully conducting the activity authorized by this general permit, the permittee may continue conducting such activity only if the permittee files an application for an individual permit within thirty (30) days of receiving the commissioner's notice. While such application is pending before the commissioner, the permittee shall comply with the terms and conditions of this general permit and the subject approval of registration. Nothing herein shall affect the commissioner's power to revoke a permittee's authorization under this general permit at any time.

Issued
Date:

September 30, 2005

GINA McCARTHY.

Commissioner

This is a true and accurate copy of the general permit executed on September 30, 2005 by the Commissioner of the Department of Environmental Protection.

General Permit for the Storage and Distribution of Two (2) Inch Nominal Tire Chip Aggregate for Beneficial Use in Leaching Systems of Subsurface Sewage Disposal Systems

Appendix A: Beneficial Use Requirements

Approval of the beneficial use of two (2) inch nominal tire chip aggregate as required pursuant to this permit is not an endorsement of tire chip aggregate for their advertised benefits as asserted by the permittee. This beneficial use determination means when two (2) inch nominal tire chip aggregate is used in accordance with the beneficial use requirements of this determination than this material is not subject to a permit under Chapters 446d and 446k of the General Statutes.

The permittee shall provide this appendix to all subsurface sewage disposal system installers who intend to construct or install a leaching system for a subsurface sewage disposal system, using two (2) inch nominal tire chip aggregate.

General Requirements

- Two (2) inch nominal tire chip aggregate may be used only as an approved aggregate in leaching systems of subsurface sewage disposal systems as approved by the Commissioner of Public Health in accordance with the Technical Standards for Subsurface Sewage Disposal Systems. Tire chip aggregate that does not comply with the specifications of the Technical Standards for Subsurface Sewage Disposal Systems shall be managed as a solid waste in accordance with the applicable Sections 22a-209-1 through 22a-209-17 of the Regulations of Connecticut State Agencies.
- All subsurface sewage disposal system installers using two (2) inch nominal tire chip aggregate shall provide a copy of the bill of lading to the local director of health prior to the issuance of the permit to discharge. This bill of lading shall, at a minimum, provide a description of the two (2) inch nominal tire chip aggregate and quantity being installed. Should the local director of health deny or otherwise not issue the permit to discharge, the subsurface sewage disposal system installer shall remove all two (2) inch nominal tire chip aggregate from the site and send it to a permitted solid waste facility.
- This general permit authorizes the use of two (2) inch nominal tire chip aggregate only as an approved aggregate in subsurface sewage disposal systems. Any other use must comply with the applicable Sections of 22a-208 and 22a-209 of the General Statutes.

Management of Excess Tire Chip Aggregate

- All tire chip aggregate not used in a subsurface sewage disposal system shall be removed from the site by the subsurface sewage disposal system installer and sent either to a permitted solid waste facility or stored in quantities of less than (10) cubic yards on the subsurface sewage disposal system installer's property. The subsurface sewage disposal system installer shall not store more than ten (10) cubic yards of two (2) inch nominal tire chip aggregate on his or her property without first obtaining a permit from the commissioner. Excess two (2) inch nominal tire chip aggregate shall not be used in any other clean fill application.

Subsurface Sewage Disposal System Abandonment Requirements

- Leaching systems using two (2) inch nominal tire chip aggregate may be abandoned in place if approved in accordance with the Department of Public Health "Technical Standards for Subsurface Sewage Disposal Systems".
- All two (2) inch nominal tire chips removed from a failed or abandoned subsurface sewage disposal leaching system shall be managed and disposed as a solid waste unless the on-site disposal by burial is approved by the local director of health. On-site disposal by burial shall ensure that all tire chips are placed at least 18 inches above the maximum groundwater.